

AMENDED IN ASSEMBLY MAY 27, 2011

AMENDED IN ASSEMBLY APRIL 25, 2011

AMENDED IN ASSEMBLY MARCH 7, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

**No. 292**

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**Introduced by Assembly Member Galgiani**  
**(Coauthor: Assembly Member Perea)**  
**(Coauthor: Senator Rubio)**

February 8, 2011

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An act to add Section 185034.3 to the Public Utilities Code, relating to high-speed rail.

### LEGISLATIVE COUNSEL'S DIGEST

AB 292, as amended, Galgiani. High-speed rail: agricultural lands.

Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes. Various federal laws provide funding for allocation nationally to high-speed rail and other related projects.

This bill would require the authority to appoint an agricultural advisory committee with ~~an unspecified number of members~~ *9 members from a list of nominees recommended by the Secretary of Food and Agriculture*. The bill would require the authority to consult with the committee and to reflect the committee's comments on authority policies

and related matters in any action item brought before the board of the authority.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) The agricultural industry is concerned that the High-Speed  
4 Rail Authority is not preserving agricultural lands in its planning  
5 activities.

6 (b) Proposed plans for high-speed rail alignments divide parcels,  
7 separating wells from growing fields, leaving some farmers without  
8 access to water or otherwise adversely affecting irrigation systems.

9 (c) Proposed plans cause some parcels to be orphaned, without  
10 egress, and potentially unprofitable.

11 (d) Loss of agricultural lands creates long-term loss of revenues  
12 to farm families, farmworkers and their families, and related  
13 agricultural business suppliers, *processors, and handlers*.

14 (e) California farmland is some of the most fertile farmland in  
15 the world and is not a renewable resource.

16 (f) Many potentially impacted lands are considered heritage  
17 lands, having been ~~in~~ *farmed and preserved* by the same family  
18 for over 100 years.

19 (g) California farmers and ranchers are major contributors to  
20 local, state, and national economies, providing employment to  
21 many and generating a domestic food supply.

22 (h) *The High-Speed Rail Authority's stated policy on its impacts*  
23 *to industries is to avoid, minimize, and mitigate those impacts.*

24 ~~(h)~~

25 (i) It is the intent of the Legislature that ~~any~~ *the authority's*  
26 *policies should be followed, and that impacts should be avoided*  
27 *and minimized, and then any remaining impacts on agriculture*  
28 *and resulting problems from high-speed rail construction should*  
29 *be fully mitigated. Mitigation considerations should not be limited*  
30 *to conventional practices, but should also include options used by*  
31 *other states and nations, or new mitigation options not previously*  
32 *implemented.*

1 SEC. 2. Section 185034.3 is added to the Public Utilities Code,  
2 to read:

3 185034.3. (a) The authority shall appoint an agricultural  
4 advisory committee *from a list of nominees recommended by the*  
5 *Secretary of Food and Agriculture*. The purpose of the committee  
6 is to advise the authority on the impact that authority policies,  
7 plans, practices, and procedures will have on the agricultural  
8 community. The authority shall consult with the agricultural  
9 advisory committee prior to adopting any policy relevant to  
10 agriculture, and reflect the comments of the advisory committee  
11 in any action item to adopt a policy or other action that is brought  
12 before the board of the authority. The authority shall provide  
13 written responses to the committee's comments, which shall be  
14 distributed both to the board and the committee.

15 (b) The agricultural advisory committee shall consist of ~~\_\_\_\_\_~~  
16 *nine* members, representing specific areas proposed to be affected  
17 by plans for high-speed rail. Each member shall be active in a  
18 farming enterprise *or in an agricultural or related trade*  
19 *organization*, and have technical expertise in *one or more*  
20 farm-related activities, including, but not limited to, well drilling,  
21 irrigation systems, animal husbandry, harvesting, processing, and  
22 agricultural transportation. ~~The committee shall include~~  
23 ~~representatives of agricultural and related trade organizations.~~

24 (c) Nothing in this section shall be construed to affect any other  
25 requirements that may be imposed by law for the authority to  
26 respond to public comments submitted to the authority in writing  
27 or at public hearings.